

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 07-2760-GHK (SSx)	Date	June 3, 2008
Title	Harry J. Binder, et al. v. Disability Group, Inc., et al.		

Present: The Honorable	SUZANNE H. SEGAL, UNITED STATES MAGISTRATE JUDGE
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Denise Lazo

CS 06/03/08

n/a

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Kenneth G. Parker, Esq.

Matt Kohn, Esq.

Proceedings: Order (1) Denying In Part and Granting In Part Plaintiffs' Motion to Compel Further Production of Documents; and (2) Granting Plaintiffs' Motion to Exceed Ten Depositions

Counsel make their appearances in the matter of Plaintiffs' Motion to Compel Further Production of Documents and Plaintiffs' Motion to Exceed Ten Depositions.

The Court GRANTS in part and DENIES in part Plaintiffs' Motion to Compel for the reasons stated on the record during the hearing on Plaintiffs' motions. The Court describes its ruling in greater detail below:

As to Disputed Issue No. 1 (Documents Reflecting Keywords Used for the Second Website and the 411 Website):

Request for Production #3: Plaintiffs' Motion to Compel as to this Request is DENIED.

Request for Production #4: Plaintiffs' Motion to Compel as to this Request is DENIED.

Request for Production #8: Plaintiffs' Motion to Compel as to this Request is DENIED.

Request for Production #16: Plaintiffs' Motion to Compel as to this Request is DENIED.

Request for Production #20: Plaintiffs' Motion to Compel as to this Request is GRANTED.

Defendants are ORDERED to produce all documents concerning Defendants' advertising programs with any website and/or search engine company in connection with the BINDER & BINDER

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TRADEMARKS or produce a declaration describing the search conducted and confirming that no such documents exist.

Request for Production #22: Plaintiffs' Motion to Compel as to this Request is DENIED.

Request for Production #23: Plaintiffs' Motion to Compel as to this Request is DENIED AS MOOT.

Request for Production # 29: Plaintiffs' Motion to Compel as to this Request is DENIED.

Request for Production #95: Plaintiffs' Motion to Compel as to this Request is DENIED.

As to Disputed Issue No. 2 (Production of Intake Information from Customers Received from March 2006 to November 2006):

Request for Production # 20: Plaintiffs' Motion to Compel as to this Request is GRANTED. Defendants shall produce to Plaintiff all intake information (which take the form of e-mailed submission forms from the "Helpcenter" website) and case retained information related to those intake sheets for the time period from March 2006 to November 2006.

As to Disputed Issue No. 3 (Failure to Fully Identify "Binder" Keywords Used):

Interrogatory #16: Plaintiffs' Motion to Compel as to this Interrogatory is DENIED.

Defendants are ordered to comply with this order **within 14 days** of the date of this order.

The Court hereby GRANTS Plaintiffs' Motion to Exceed Ten Depositions. The Court allows an additional deposition of Mr. Dimas. However, the total duration of Mr. Dimas's deposition may not exceed Rule 30(d)(2)'s seven-hour limit. Defendants' counsel, Mr. Kohn, is permitted to appear telephonically at these depositions. Plaintiffs' questions must be directed to facts relevant to the claim or defense of any party in this litigation. When questioning a client of Defendants, Plaintiffs' counsel must avoid questions which would cause the deponent to reveal privileged information.

IT IS SO ORDERED. The Clerk shall serve a copy of this Order on all parties.

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